

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
BYRON SANTOS,

Plaintiff,

v.

CORRECTION OFFICER R. FELDMAN,
Defendant.
-----X

ORDER

19 CV 5398 (VB)

On June 15, 2021, defendant Correction Officer R. Feldman moved for an order pursuant to Fed. R. Civ. P. 56 granting summary judgment to defendant dismissing plaintiff's amended complaint. On the same day, defendant mailed to plaintiff, who is proceeding pro se and in forma pauperis, copies of the motion and supporting documents. (Docs. ##61-68).

Accordingly, plaintiff's opposition to the motion was due July 5, 2021. See Fed. R. Civ. P. 6(d); Local Civil Rule 6.1(b).

By letter dated July 14, 2021, plaintiff requested a thirty-day extension of time to respond to defendant's motion and requested the Court grant him leave to amend the complaint. (Doc. # 69). On July 21, 2021, the Court granted plaintiff's request for an extension of time to oppose defendant's motion for summary judgment to **August 30, 2021**. The Court denied plaintiff's request for leave to amend. (Doc. #70).

To date, plaintiff has failed to oppose the motion or seek another extension of time to do so.

Accordingly, it is HEREBY ORDERED:

The Court sua sponte extends to September 17, 2021, plaintiff's time to oppose the motion for summary judgment. **If plaintiff fails to respond to the motion by September 17, 2021, the motion will be deemed fully submitted and unopposed.**

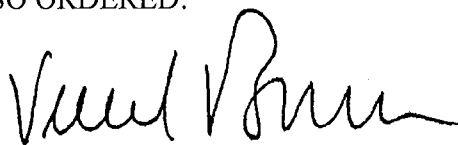
Defendants' reply, if any, is due **September 24, 2021**.

The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this Order would not be taken in good faith, and therefore in forma pauperis status is denied for the purposes of an appeal. Cf. Coppedge v. United States, 369 U.S. 438, 444-45 (1962).

Chambers will mail a copy of this Order to plaintiff at the address on the docket.

Dated: September 2, 2021
White Plains, NY

SO ORDERED:



Vincent L. Briccetti
United States District Judge